

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN  
DISTRICT OF TENNESSEE AT GREENEVILLE**

<b>JASON HODGES, GEORGE HODGES,</b>	)	
<b>and CALEB HODGES,</b>	)	
	)	<b>No.</b>
<b>Plaintiffs,</b>	)	
<b>v.</b>	)	<b>JUDGE _____</b>
	)	<b>MAGISTRATE JUDGE _____</b>
<b>GEORGINA E. BYNUM and</b>	)	
<b>LANDSTAR INWAY, INC.,</b>	)	<b>JURY DEMAND</b>
	)	
<b>Defendants.</b>	)	

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. § 1332, 1441, and 1446, Defendant Landstar Inway, Inc., through counsel, files this Notice of Removal of this action from the Circuit County Court in Washington County, Tennessee, where it is now pending, to the United States District Court for the Eastern District of Tennessee based upon diversity of citizenship and an amount in controversy exceeding \$75,000.00. The grounds for removal are as follows.

**Procedural Background**

1. This action was commenced on or about May 26, 2022 by Plaintiffs' filing of the Complaint in the Washington County Circuit Court in Washington County, Tennessee, Case No. 41598 (the "Complaint"). True and accurate copies of the pleadings filed in this action and summons are attached as *Exhibit A*.

2. The Complaint was served on Landstar Inway, Inc. on or about June 10, 2022. This Notice of Removal is being filed within thirty (30) days after service of the Complaint in the matter; therefore, the removal is timely in accordance with 28 U.S.C. § 1446.

3. Defendant Georgina E. Bynum consents to the removal of this matter pursuant to 28 U.S.C. § 1446(b)(2)(A).

4. The Complaint contains allegations of negligence and seeks damages in the total

amount of four hundred fifty thousand dollars (\$450,000.00) on behalf of Plaintiffs Jason Hodges, George Hodges and Caleb Hodges. Thus, the amount in controversy exceeds the threshold requirement for removal pursuant to 28 USC § 1332.

5. According to their Complaint, the Plaintiffs are citizens and residents of Washington County, Tennessee.

6. The Defendant, Landstar Inway, Inc. is a corporation organized under the laws of Florida, with its principal place of business located at 13410 Sutton Park Drive South, Jacksonville, Florida 32224. The Defendant, Georgina E. Bynum, is a citizen and a resident of the state of Arkansas and resides at 455 Bass Road, Vilonia, Arkansas 72173.

7. The United States District Court for the Eastern District of Tennessee has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 as there is complete diversity of the parties, and the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

8. A copy of this Notice of Removal is being served by U.S. mail on the Plaintiffs' Attorney, and a Notice of Filing of Notice of Removal is being filed with the Washington County Circuit Court in Jonesborough, Tennessee, in accordance with 28 U.S.C. § 1446(d). Copies of those notices are attached as *Exhibit B*. The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

9. Defendant demands a jury to try this case.

WHEREFORE, Defendant prays this Court consider the Notice of Removal as provided by law governing removal of cases to this Court and that this Court enter the appropriate orders to perfect the removal of this case from the Washington County Circuit Court in Jonesborough, Tennessee to this Court.

*Respectfully submitted,*

/s/ David A. Chapman

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Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 7<sup>th</sup> day of July, 2022, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

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/s/ David A. Chapman  
Adam F. Rust  
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